IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

CRP.No. 2432 of 2000(A)

AGAINST THE ORDER DATED 31/03/1999 IN EP 571/92 IN LAR.49/1988 of II ADDL.SUB COURT,THRISSUR
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REVN. PETITIONER: JUDGMENT DEBTOR:

STATE OF KERALA

BY GOVERNMENT PLEADER SMT. R. BINDU

RESPONDENT:DECREE HOLDER:

SMT. MARY,
W/O.THYKKADAN DEVASSY,
NALLANKARA P.O.,
NETTISSERY.

BY

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 10/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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M.N. KRISHNAN, J.

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C.R.P. NO. 2432 OF 2000

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Dated this the 10th day of October, 2007.

O R D E R

This revision petition is preferred against the order of the Subordinate Judge, Thrissur in E.P.571/92 in LAR 49/88. As per the order the Court below directed the Government to deposit an amount of Rs.14,222/- with execution costs. It is against that order the present revision is preferred. Though notice had been served on the respondent in the delay condonation application, she had not responded to the notice of the Court. A perusal of the memorandum of revision, especially paragraph 3, would show that how the Government have calculated the amount. Therefore, it is only just and reasonable that an opportunity is given to the Government to file a statement before the Court below to show how the amount calculated by the Court is not correct and what is the actual amount that is due. Therefore, the order under challenge is set aside and the matter is remitted back to the Court below for fresh consideration with permission to the Government to file a statement to show how it has calculated

the amount and what is the correct amount due to the party. Since the claimant has not appeared before this Court the Court shall give notice to the counsel who had appeared at the stage of the execution, hear both sides and dispose of the matter in accordance with law.

M.N. KRISHNAN, JUDGE.

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M.N. KRISHNAN, J.

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C.R.P. No. 2432 OF 2000

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O R D E R

10th October, 2007.